

1 H.720

2 Introduced by Representatives Pearson of Burlington and Zagar of Barnard

3 Referred to Committee on

4 Date:

5 Subject: Elections; campaign finance; public finance option; eligible

6 candidates; qualifying contributions; grants

7 Statement of purpose of bill as introduced: This bill proposes to amend the

8 State's public campaign finance option to permit:

9 (1) candidates for all statewide and legislative offices to qualify for
10 public finance grants; and

11 (2) a publicly financed candidate to obtain and expend additional
12 contributions equal to the amount of his or her nonpublicly financed
13 opponent's expenditures that exceed the publicly financed candidate's
14 qualifying contributions and public finance grant.

15 An act relating to the public financing of campaigns

16 It is hereby enacted by the General Assembly of the State of Vermont:

17 Sec. 1. 17 V.S.A. § 2982 is amended to read:

18 § 2982. FILING OF VERMONT CAMPAIGN FINANCE AFFIDAVIT

19 (a) A candidate for the office of Governor ~~or~~ Lieutenant Governor,

20 Treasurer, Secretary of State, Auditor of Accounts, Attorney General, Senator,

1 or State Representative who intends to seek Vermont campaign finance grants
2 from the Secretary of State Services Fund shall file a Vermont campaign
3 finance affidavit on the date on or before which primary petitions must be
4 filed, whether the candidate seeks to enter a party primary or is an independent
5 candidate.

6 * * *

7 Sec. 2. 17 V.S.A. § 2983 is amended to read:

8 § 2983. VERMONT CAMPAIGN FINANCE GRANTS; CONDITIONS

9 (a) A person shall not be eligible for Vermont campaign finance grants if,
10 prior to February 15 of the general election year during any two-year general
11 election cycle, he or she becomes a candidate by announcing that he or she
12 seeks an elected position as ~~Governor or Lieutenant Governor~~ for one of the
13 offices set forth in subsection 2982(a) of this chapter or by accepting
14 contributions totaling \$2,000.00 or more or by making expenditures totaling
15 \$2,000.00 or more.

16 (b) A candidate who accepts Vermont campaign finance grants shall:

17 (1) not solicit, accept, or expend any contributions except qualifying
18 contributions, Vermont campaign finance grants, and contributions authorized
19 under section 2985 of this chapter, which contributions may be solicited,
20 accepted, or expended only in accordance with the provisions of this
21 subchapter;

1 (2) deposit all qualifying contributions, Vermont campaign finance
2 grants, and any contributions accepted in accordance with the provisions of
3 section 2985 of this chapter in a federally insured noninterest-bearing checking
4 account; and

5 (3) not later than 40 days after the general election, deposit in the
6 Secretary of State Services Fund, after all permissible expenditures have been
7 paid, the balance of any amounts remaining in the account established under
8 subdivision (2) of this subsection.

9 Sec. 3. 17 V.S.A. § 2984 is amended to read:

10 § 2984. QUALIFYING CONTRIBUTIONS

11 (a) In order to qualify for Vermont campaign finance grants, a candidate for
12 ~~the office of Governor or Lieutenant Governor~~ following offices shall obtain
13 during the Vermont campaign finance qualification period the following
14 amount and number of qualifying contributions for the office being sought:

15 (1) ~~for~~ For Governor, a total amount of no less than \$35,000.00
16 collected from no fewer than 1,500 qualified individual contributors making a
17 contribution of no more than \$50.00 each; ~~or~~.

18 (2) ~~for~~ For Lieutenant Governor, Treasurer, Secretary of State, Auditor
19 of Accounts, or Attorney General, a total amount of no less than \$17,500.00
20 collected from no fewer than 750 qualified individual contributors making a
21 contribution of no more than \$50.00 each.

1 (3) For Senator:

2 (A) for a one-member senatorial district, a total amount of no less
3 than \$1,000.00 collected from no fewer than 50 qualified individual
4 contributors within the district making a contribution of no more than \$50.00
5 each;

6 (B) for a two-member senatorial district, a total amount of no less
7 than \$2,000.00 collected from no fewer than 100 qualified individual
8 contributors within the district making a contribution of no more than
9 \$50.00 each;

10 (C) for a three-member senatorial district, a total amount of no less
11 than \$3,000.00 collected from no fewer than 150 qualified individual
12 contributors within the district making a contribution of no more than
13 \$50.00 each; or

14 (D) for a six-member senatorial district, a total amount of no less
15 than \$6,000.00 collected from no fewer than 300 qualified individual
16 contributors within the district making a contribution of no more than
17 \$50.00 each.

18 (4) For State Representative:

19 (A) for a one-member representative district, a total amount of no
20 less than \$500.00 collected from no fewer than 25 qualified individual

1 contributors within the district making a contribution of no more than
2 \$50.00 each; or

3 (B) for a two-member representative district, a total amount of no
4 less than \$1,000.00 collected from no fewer than 50 qualified individual
5 contributors within the district making a contribution of no more than
6 \$50.00 each.

7 (b)(1) A candidate shall not accept more than one qualifying contribution
8 from the same contributor and a contributor shall not make more than one
9 qualifying contribution to the same candidate in any Vermont campaign
10 finance qualification period. ~~For the purpose of~~ As used in this section, a
11 qualified individual contributor means an individual who is registered to vote
12 in Vermont.

13 (2) ~~No~~ For the statewide candidates set forth in subdivisions (a)(1) and
14 (2) of this section, no more than 25 percent of the total number of qualified
15 individual contributors may be residents of the same county.

16 (c) Each qualifying contribution shall indicate the name and town of
17 residence of the contributor and the date accepted and be acknowledged by the
18 signature of the contributor.

19 (d) A candidate may retain and expend qualifying contributions obtained
20 under this section. A candidate may expend the qualifying contributions for
21 the purpose of obtaining additional qualifying contributions and may expend

1 the remaining qualifying contributions during the primary and general election
2 periods. Amounts expended under this subsection shall be considered
3 expenditures for purposes of this chapter.

4 Sec. 4. 17 V.S.A. § 2985 is amended to read:

5 § 2985. VERMONT CAMPAIGN FINANCE GRANTS; AMOUNTS;
6 TIMING

7 (a)(1) The Secretary of State shall make grants from the Secretary of State
8 Services Fund in separate grants for the primary and general election periods to
9 candidates who have qualified for Vermont campaign finance grants under this
10 subchapter.

11 (2)(A) To cover any campaign finance grants to candidates who have
12 qualified under this subchapter, the Secretary of State shall report to the
13 Commissioner of Finance and Management, who shall anticipate receipts to
14 the Services Fund and issue warrants to pay for those grants.

15 (B) The Commissioner shall report any such anticipated receipts and
16 warrants issued under this subdivision to the Joint Fiscal Committee on or
17 before December 1 of the year in which the warrants were issued.

18 (b)(1) ~~Whether~~ Except as provided in subdivision (2) of this subsection and
19 subsection (c) of this section, whether a candidate has entered a primary or is
20 an independent candidate, Vermont campaign finance grants shall be in the
21 following amounts:

1 ~~(1)~~(A) For Governor, \$150,000.00 in a primary election period and
2 \$450,000.00 in a general election period, provided that the grant for a primary
3 election period shall be reduced by an amount equal to the candidate's
4 qualifying contributions.

5 ~~(2)~~(B) For Lieutenant Governor, Treasurer, Secretary of State, Auditor
6 of Accounts, or Attorney General, \$50,000.00 in a primary election period and
7 \$150,000.00 in a general election period, provided that the grant for a primary
8 election period shall be reduced by an amount equal to the candidate's
9 qualifying contributions;

10 (C) For Senator:

11 (i) for a one-member senatorial district, \$1,500.00 in a primary
12 election period and \$4,500.00 in a general election period, provided that the
13 grant for a primary election period shall be reduced by an amount equal to the
14 candidate's qualifying contributions;

15 (ii) for a two-member senatorial district, \$3,000.00 in a primary
16 election period and \$9,000.00 in a general election period, provided that the
17 grant for a primary election period shall be reduced by an amount equal to the
18 candidate's qualifying contributions;

19 (iii) for a three-member senatorial district, \$4,500.00 in a primary
20 election period and \$13,500.00 in a general election period, provided that the

1 grant for a primary election period shall be reduced by an amount equal to the
2 candidate's qualifying contributions; or

3 (iv) for a six-member senatorial district, \$9,000.00 in a primary
4 election period and \$27,000.00 in a general election period, provided that the
5 grant for a primary election period shall be reduced by an amount equal to the
6 candidate's qualifying contributions.

7 (D) For State Representative:

8 (i) for a one-member representative district, \$750.00 in a primary
9 election period and \$2,250.00 in a general election period, provided that the
10 grant for a primary election period shall be reduced by an amount equal to the
11 candidate's qualifying contributions; or

12 (ii) for a two-member representative district, \$1,500.00 in a
13 primary election period and \$4,500.00 in a general election period, provided
14 that the grant for a primary election period shall be reduced by an amount
15 equal to the candidate's qualifying contributions.

16 ~~(3)(2)~~ A candidate who is an incumbent of the office being sought shall
17 be entitled to receive a grant in an amount equal to 85 percent of the amount
18 listed in subdivision (1) ~~or (2)~~ of this subsection.

19 (c)(1) In an uncontested general election and in the case of a candidate who
20 enters a primary election and is unsuccessful in that election, an otherwise
21 eligible candidate shall not be eligible for a general election period grant.

1 However, such candidate may solicit and accept contributions and make
2 expenditures as follows: contributions shall be subject to the limitations set
3 forth in subchapter 3 of this chapter, and expenditures shall be limited to an
4 amount equal to the amount of the grant set forth in subsection (b) of this
5 section for the general election for that office.

6 (2)(A) A candidate who has received a campaign finance grant in a
7 general election period under this subchapter may solicit and accept
8 contributions subject to the limitations set forth in subchapter 3 of this chapter
9 and may expend those contributions, in addition to his or her qualifying
10 contributions and the grant, if his or her opponent in the election did not
11 receive grants under this subchapter and made expenditures for the election in
12 an amount that exceeds the amount of the candidate's qualifying contributions
13 and grant.

14 (B) The ability to solicit, accept, and expend contributions under this
15 subdivision (2) shall only apply on and after the date on which the candidate's
16 opponent files his or her October 15 campaign report required under section
17 2964 of this chapter. The amount of the additional contributions permitted
18 under this subdivision (2) shall be no more than the amount of his or her
19 opponent's expenditures that exceeds the amount of the candidate's qualifying
20 contributions and grant.

1 (d) Grants awarded in a primary election period but not expended by the
2 candidate in the primary election period may be expended by the candidate in
3 the general election period.

4 (e) Vermont campaign finance grants for a primary election period shall be
5 paid to qualifying candidates within the first 10 business days of the primary
6 election period. Vermont campaign finance grants for a general election
7 period shall be paid to qualifying candidates during the first 10 business days
8 of the general election period.

9 Sec. 5. EFFECTIVE DATE

10 This act shall take effect on January 1, 2017.